

IN THE UNITED STATES DISTRICT COURT NORTHERN DISTRICT OF TEXAS

Case No.:

CATHY TREI,

Plaintiff,

v.

AMTX HOTEL CORP., DBA Holiday Inn

Defendant.

COMPLAINT FOR PERSONAL INJURY

1. Plaintiff is a resident of Valencia County, New Mexico.
2. Defendant AMTX Hotel Corp. operates a Holiday Inn in Amarillo TX.
3. Plaintiff is claiming over \$75,000.00 in damages wherefore jurisdiction is proper in the Federal District Court for the Northern District of Texas.
4. On March 4, 2012, Plaintiff Cathy Trei was a hotel guest at a Holiday Inn in Amarillo, Texas that was owned and operated by Defendant AMTX Hotel Corp.
5. Defendant's hotel offered a number of amenities including a work out facility.
6. Plaintiff Trei was riding a stationary bike in Defendant's work out facility when the seat fell back causing her to fall off the back of the bike and impact on the floor.
7. Said impact resulted in serious permanent damage to Plaintiff's right knee.
8. Plaintiff also sustained severe and possible permanent damage to her neck shoulder region.

9. Defendant owed a duty to maintain the exercise equipment offered to guests in proper working order and to perform proper inspections in order to insure that guests were leaving said equipment in proper working order for other guests.
10. Defendant breached the duties enumerated in paragraph 9, among other duties provided by statute, ordinance and common law.
11. Defendant further owed a duty to train its employees and promulgate proper procedures in order to insure that exercise equipment was being adequately maintained and inspected.
12. Defendant breached the duties enumerated in paragraph 10.
13. Defendant owed a duty to properly warn guests of the potential for injury due to use of the exercise equipment it made available to its guests.
14. Defendant breached the duties enumerated in paragraph 13.
15. As a result of Defendants' breach of duties Plaintiff suffered severe and permanent personal injuries in an amount to be proven at trial.

WHEREFORE, Plaintiff's ask for an award of attorney's fees and costs, for pre and post judgment interest and for actual, compensatory, incidental and consequential damages and for any other relief the Court deems just and proper.

Respectfully submitted:

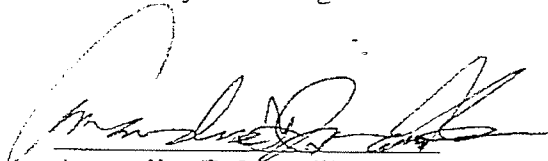
/s/ Amavalise F. Jaramillo
Amavalise F. Jaramillo, Esq.
Attorney for Plaintiffs
P.O. Box 28
Tome, NM 87060

VERIFICATION

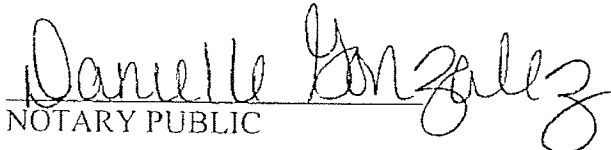
STATE OF NEW MEXICO)
)
COUNTY OF VALENCIA) ss.


Amavalise F. Jaramillo, being first duly sworn upon oath, deposes and states:

That I have read, know, and understand the contents of the foregoing pleading,
and the statements therein are true and correct to the best of my knowledge and belief.


Amavalise F. Jaramillo

SUBSCRIBED AND SWORN TO before me this 13th day of March 2013.


NOTARY PUBLIC


My Commission Expires: 1-25-14